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THOMAS HICKEY, THE REBEL, AND CIVIL LIBERTIES IN WARTIME TEXAS

By Steven Boyd and David Smith

“‘Well Hickey,’ said the big wise lawyer in Dallas, ‘I about know what happened to you. The Federal officials have suffered from an attack of the prevailing hysteria; they threw out a dragnet and made water haul.’”¹

So begins the account of Thomas A. Hickey, Texas socialist and publisher of the socialist weekly newspaper, *The Rebel*, of his arrest and imprisonment by federal and state authorities in Abilene, Texas. Those officials alleged that Hickey had joined an armed anti-conscription conspiracy organized by a consumers’ cooperative known as the Farmers’ and Laborers’ Protective Association (F.L.P.A.) shortly after the United States entered World War I. His account was published in the last edition of *The Rebel* on June 2, 1917. Less than a week later, the United States Post Office revoked the second class mailing privileges for *The Rebel*, effectively ending the mass distribution of the paper.²

Hickey’s experience illustrates government’s efforts to stifle anti-war sentiments as the United States entered World War I. Although the federal government never indicted Hickey in the F.L.P.A. case the Post Office, under the direction of Postmaster General Albert S. Burleson, denied him second-class mailing privileges. Some historians ascribe ulterior motives to Burleson’s actions, emphasizing Hickey’s role in exposing fellow Texan Burleson’s business practices, but little evidence exists to support this argument. More evidence, however, places the suppression of *The Rebel* firmly in the historiography of speech in crisis times.

Constitutional historians, constitutional law scholars, and judicial commentators all note that the civil liberties protections of the Constitution and the Bill of Rights weaken in times of war. Paul Murphy, in his seminal work *World War I and the Origin of Civil Liberties in the United States*, argues that before World War I, no strong federal effort existed to limit the speech of certain individuals. Other scholars support this contention, asserting that the federal government involved itself only sporadically in such matters before the crisis of World War I inflamed public opinion against “radicals” and provoked a wave of federal suppression of civil liberties. Federal infringement upon civil liberties in earlier eras – the passage of the Alien and Sedition Acts of 1798, suspending the writ of habeas corpus during the Civil War – was episodic and infrequent. But with the rise of Progressivism and its emphasis on governmental action to curb various activities, regulating speech seemed a logical extension of authority as the United States entered World War I. Those targeted by these new regulations, such as Thomas A. Hickey, defended themselves by invoking the principle of civil liberties, a new concept.³

Thomas A. Hickey, editor of the newspaper named *The Rebel*, led a rad-

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ical life well before he arrived in the central Texas town of Hallettsville. Hickey was born in Dublin, Ireland in 1869, and was likely influenced by the struggles of Irish tenants against English landlords that came to a head during his childhood there. Early in the 1890s, Hickey immigrated to the United States, first settling in New York where he led a strike by the Knights of Labor. In 1903, Hickey headed west and organized lumberjacks in Washington and Oregon. Later, he moved to Arizona, working with the Western Federation of Miners and editing a newspaper, *The Globe [Arizona] Miner*. In 1905 Hickey migrated to Texas and started working with the Socialist Party to organize tenant farmers.⁴

In Texas Hickey found ample ground to ply his trade. By early in the 1900s the agricultural workforce was shifting from individual, land-owning farmers to tenant farmers. In 1910, tenants comprised 52 percent of all Texas farmers, compared to 37.6 percent in 1880. Popular wisdom had previously held that tenants would eventually work their way up to the status of landowners, but by 1910 this ideal seemed so unrealistic that even the mainstream *Dallas Morning News* conceded that most tenants would remain in that status indefinitely.⁵

The Socialist Party of Texas responded to this situation in 1911 by founding the Renters Union of America in Waco, Texas, and by establishing a statewide Socialist newspaper, *The Rebel*. The paper resulted from the merger of a weekly Hallettsville paper owned by E. O. Meitzen with a west Texas paper, the Abilene-based *Farmers' Journal*. *The Rebel* became the official organ of the Texas Socialist Party. Thomas A. Hickey served as its editor, and distinguished the paper from other radical papers with his rhetorical flair.⁶

Hickey's style, according to historian James C. Green, largely borrowed from a Texas journalist named W.C. Brann, a "muckraker" murdered by a subject of one of his investigative articles. J.A. Wayland, publisher of the *Appeal to Reason*, a popular Socialist weekly printed in Kansas, also influenced Hickey. Both men promoted the unionization of industry as well as the organization of agricultural workers. Unlike the more nationally minded *Appeal*, however, Hickey maintained, in Green's words, an "unusually strong editorial evangelism designed to appeal to readers who still saw the world more in moral than political terms."⁷

This editorial approach led to a millennialist philosophy best illustrated by Hickey's speeches to numerous Socialist "encampments," or political rallies, throughout the state. In one speech to a large encampment gathering Hickey exclaimed

"Be Ye of Good cheer, ye disinherited of the earth, for the day is coming when, with the spirit of the Lord in your hearts and with your footsteps lighted with the lamp of Socialism...we will, with that old prophet Nehemiah, say to the rulers of the nation: 'Restore, I pray you, even to this day, their land, their vineyards, and their houses.' And they shall be restored."

This desire for sudden sweeping social change colored many of Hickey's writings in *The Rebel*.⁹

These efforts contributed to the Socialist Party gaining considerable traction with the Texas electorate. Eugene V. Debs captured over eight percent of the Texas popular vote for president in 1912, better than his six percent national share. Two years later, Socialist gubernatorial candidate E.O. Meitzen, who worked with Hickey on *The Rebel* staff, received twelve percent of the vote for governor, more than the Republican challenger. Hickey himself captured five percent of the vote in a run for the U.S. Senate in 1916. Meanwhile, *The Rebel* grew to be the "third largest English-language Socialist weekly in the United States."⁹

Hickey's role, and that of *The Rebel*, in the debate over socio-economic issues in World War I-era Texas has been well documented by historians. But his viewpoints on world affairs, specifically World War I and the question of American involvement, have not been examined to any great degree. In *The Rebel*, however, Hickey let his opinions on the impending world conflict be known. This forthrightness certainly contributed to Hickey's difficulties with federal authorities as the United States declared war in 1917.

Even before the Great War, *The Rebel* voiced skepticism about the motives of American intervention abroad, especially in Mexico. In the twelfth issue of the paper in 1911, Hickey chastised the major daily papers in Texas for editorializing in favor of intervention in the Mexican Revolution. Such an action, Hickey argued, would only be in the interests of "Morgan and Guggenheim." Hickey continued to use this theme in the years to come. The civil conflict in Mexico again garnered Hickey's attention in 1913 when a possible "counter revolution" threatened the tenuous position of Mexican president Francisco Madero. Hickey, after noting that "many years ago the Socialists demonstrated that all wars are commercial, that it is the desire of the plutocracy to extend their dominions that causes bloodshed between the nations," argued that the United States would not come to the aid of Madero because he was not sufficiently subservient to foreign oil interests. Most Socialists probably agreed with Hickey's views; capitalists seeking foreign markets initiated wars.¹⁰

After World War I broke out in Europe in August 1914, *The Rebel* again discussed war in light of Marxist economics. After explaining the theory of surplus value, *The Rebel* argued that since workers could never buy back the capital that they produced for the "exploiters," nations necessarily sought foreign markets, and used force if necessary to procure and protect them. The paper also printed a piece by Eugene V. Debs, in which he declared "Industrial peace will prevail when industrial freedom has been achieved and industrial justice is done."¹¹

It soon became apparent that part of the reason *The Rebel* commented so extensively on the war was to educate its readership in socialist economics. In an introduction to a reprinted speech given by Hickey in Houston, the editors note that the speech "deals with the method whereby the workers of the vari-

ous nations are robbed of the major portion of their products. All socialists should study the economic side of our movement as possible [sic]." *The Rebel* even found a way to relate economics directly to its primary constituency, tenant farmers. One article, entitled "Cotton, Sugar, and War," explained the low cost of cotton compared to sugar despite the great demand for cotton during wartime. Because the sugar industry controlled all facets of production, the paper argued, it drove prices up, whereas the numerous producers of cotton, i.e. the tenant farmers, drove prices down. The article prescribed socialism as the solution to this situation.¹²

Soon, however, national and international events overtook purely economic or local concerns in *The Rebel*. The sinking of the *Lusitania* in 1915 elicited a lengthy front-page article condemning both sides in the war, and confessing that the editors could not be too concerned with the loss of a thousand or so lives given the millions who were suffering as a direct result of the war. Bemoaning the continuing plight of workers and farmers in America, the paper held out hope that citizens "will organize to destroy the war, which can only be done by destroying the system that breeds it, capitalism."¹³

After the *Lusitania* incident, preparedness came to the fore of national politics. *The Rebel* did not shy away from voicing its opinion on this issue either. In one article discussing a speech by President Wilson, the paper denounced the president as a "paid agent of the munitions trust." Nevertheless, *The Rebel* remained hopeful, contending that Americans "have shown a firm purpose to oppose the war ... by meeting with a force of flint the men who produce war by provoking them to prepare for it." *The Rebel* continued to denounce preparedness and the war when Hickey published his comments about a speech by William Jennings Bryan in Dallas in 1915. Though approving of Bryan's position against preparedness, Hickey chided him for not seeing the war in economic terms. Proclaiming that there would be no difference, in regards to the war, between a Roosevelt administration and Wilson's, Hickey explained, "All peace treaties are signed, all declarations of war are made, and all political policies are shaped by the hands of the agents of plutocracy."¹⁴

The election of 1916 generated even more anti-war and anti-Wilson rhetoric in Hickey's paper. Shortly before Election Day Hickey attacked Wilson's campaign slogan, "He kept us out of war." Returning to his thoughts on the situation in Mexico, Hickey blasted Wilson for sending troops into that country to capture Pancho Villa: "Wilson did all in his power to get us into war with Mexico," he asserted. Hickey also denounced Wilson for increasing military expenditures and for signing legislation that foreshadowed a military draft. Hickey ended the article by urging all readers to vote for Allen Benson, the Socialist candidate for president. Of course Wilson carried the day, a result that Hickey admitted he had anticipated after the results were final and relations between the United States and Germany quickly deteriorated. In April 1917 President Wilson asked for, and received, a congressional declaration of war against Germany.¹⁵

The beginning of American involvement prompted a long article under the hopeful banner headline "From War to Peace." Hickey and his co-author, frequent *Rebel* contributor Covington Hall, repeated the argument that the expropriation of workers' surplus value left the oligarchy with no choice but to declare war or face internal revolution. However, the article struck a more bellicose tone in praising those in Ireland who rose up violently against the British a year earlier, as well as those who overthrew the Czar in Russia. Hickey and Hall went on to chastise the labor movement for accepting that the rich had a right to their property, and for organizing along national rather than international lines. The authors ended the article by advocating the establishment of "Industrial Democracy" and the "Confederation of the world into free commonwealths."¹⁶

A week later, *The Rebel* took up the issue of conscription with equal rhetorical flair. In an article entitled "Will They Conscript?" Hickey again praised the Easter Monday, anti-conscription rebellion in Ireland as well as the Australian voters who rejected conscription. He then approvingly quoted Kansas governor Arthur Capper, who denounced conscription and "declared that young Kansans had been led to believe that to be drafted for army service was to be disgraced." The article ended with Hickey arguing that no man should be drafted until all income in America is "conscripted."¹⁷

Thus, Hickey took a stand on a contentious national issue that had been percolating even before the spring of 1917. Conscription, or universal military training, was an issue that many Americans debated as early as 1914. Conscription appealed to many Americans who not only believed that universal military training would be an important component of national defense, but it would also "Americanize the immigrant, nurture the values of efficiency, and 'service', and overcome class antagonisms." Opponents, however, thought that conscription "did not encourage democracy and individual autonomy, but taught lessons of subordination, and slavish deference to authority." Many Texans shared the sentiments of those leery of the draft. Conscription was unpopular within the Texas Congressional delegation as well, who shared with other southerners a predisposition toward a volunteer army. Even Governor James Ferguson voiced his opposition to the draft, as did some newspapers, though eventually the governor accepted conscription. But "pockets of discontent," existed in Texas even after the declaration of war among German residents and especially among North Texas farmers.¹⁸

Indeed, the issue of military conscription flared across the North Texas prairie in the spring of 1917, ensnaring Hickey and *The Rebel* in its flames. On May 14, 1917, a federal grand jury convened in San Angelo to investigate rumors swirling around the Farmers' and Laborers' Protective Association, a group ostensibly formed as a consumers' cooperative but now accused of organizing a violent rebellion to sabotage the draft. Arrests by federal officers began on May 16, and two days later a grand jury handed down indictments against some F.L.P.A. leaders.¹⁹ Hickey was arrested on the evening of May 17, 1917 outside of Brandenburg in Stonewall County. At the time, he was resid-

ing on a farm owned by his wife in the western part of Texas, far away from the coastal plains of Hallettsville. Hickey had been editing the paper from this location since the election of 1916, and was en route to the post office to mail copy for a later issue when he was taken into custody.²⁰

The arresting officers, one of whom, according to Hickey, was a Texas Ranger named John Montgomery, also seized Hickey's writings. Montgomery drove Hickey to Anson, Texas and then to Abilene, where the editor met with federal officials who told him could not get his writings back. Finally, on Saturday afternoon, Hickey posted a \$1,000 bond and agreed to appear in court in Abilene on October 1.²¹

The *Houston Post* on May 19, and the *Dallas Morning News* on May 20, reported on Hickey's arrest as well as on many other arrests in the state. The F.L.P.A. conspiracy provided many sensational stories for newspapers across the state. The *Dallas Morning News* printed lurid testimony of alleged F.L.P.A. members who maintained that the organization planned a violent rebellion against those who would enforce the draft law. They also insisted that any member who tried to quit the organization would be killed. The *San Antonio Light* reported on the death of E.H. Fulcher, an alleged F.L.P.A. member who died in a hail of bullets resisting arrest near Fort Worth, Texas.²²

The F.L.P.A. arrests appeared to be part of a wider national effort to suppress resistance to conscription during the run-up to the deadline for selective service registration on June 5. Federal agents arrested others who were allegedly plotting to resist the draft through force of arms in Virginia and New York. In New York City, Secret Service agents arrested several Columbia University and Barnard College students for allegedly encouraging others to not register for conscription. The *New York Times* printed a stern message from the United States Attorney General to all U.S. marshals and district attorneys instructing them to "arrest all persons who by intimidation or otherwise [sic] hinder those subject to registration for the new national army on June 5."²³

Hickey spent much of the summer of 1917 believing that he would still be indicted for conspiracy and would have to appear in court on October 1. In a letter sent to supporters on September 1, 1917, Hickey asked for financial help for his upcoming trial. Ultimately, however, the F.L.P.A. case did not include Thomas Hickey. The case was tried in federal court in Abilene in the Northern District of Texas, but Hickey's name did not appear in the record of the trial. Nor did his name appear among those indicted in San Angelo around the time that he had been arrested, nor in the criminal indictments for that court. And when a federal grand jury in Dallas indicted another fifty-four men Hickey was not among them, either. However, Hickey did not learn that he would not be a defendant in any federal case until sometime in 1918, despite the fact that the final F.L.P.A. indictment was returned on September 10, 1917, shortly before the trial began, and Hickey's name was again excluded.²⁴

Hickey apparently had trouble securing work because of his legal difficulties, whatever they may have been. In May of 1918, Hickey wrote to a former employer and tried to convince him that the recent legal troubles were in

the past. Also in 1918, Hickey responded to a report in a Fort Worth newspaper that claimed he “ran the gamut of eight grand juries.” Hickey responded that he was arrested for belonging to the F.L.P.A., but that the grand jury investigation concluded that the F.L.P.A. had been confused with Hickey’s Renter’s Union, of which he was an integral member.²⁵

But Hickey’s arrest proved to be only one of the problems he experienced during World War I. More significant was the removal of *The Rebel* from the mail. It happened when the Postmaster of Hallettsville received a telegram the Post Office Solicitor General, William Lamar, that read, “Submit to this office future copies of *The Rebel* published at your place for investigation before accepting for mailing.” The local postmaster then informed Hickey, telling him that he knew “nothing except that you can not now mail out ... *The Rebel* from this Post Office.”²⁶

Hickey angrily proclaimed in a letter to his subscribers that this action “could only be equaled by Nicholas Romanoff’s bureaucracy in the heyday of its power.” He concluded that his only hope would be to go before the Supreme Court to get a writ of mandamus against the Third Assistant Postmaster General. Apparently, he singled out this particular official because, according to a letter Hickey wrote four years later, it was this man who canceled *The Rebel*’s second-class postal permit after several issues had been missed because of Lamar’s order.²⁷

The Rebel thus had the distinction of being the first publication removed from the mail after the United States declared war. Hickey tried desperately to revive his newspaper. His efforts largely consisted of contacting officials whom he believed would be sympathetic to his plight. Hickey first tried to enlist the assistance of Socialist Congressman Meyer London of New York. A letter from London’s office dated June 19, 1917, reported that the solicitor general had affirmed that the June 9 issue of the paper and all subsequent issues were to be withheld. The letter further stated that this situation would stay the same “if their [the issues] character in the future is the same as in the past.” The letter ended on a pessimistic note, advising Hickey that *The Rebel* may have to close.²⁸

Hickey next sought the help of lawyer Frank P. Walsh of Kansas City. Walsh had chaired the Commission on Industrial Relations, an investigative body created by Congress, when it had examined the practices of Texas landlords in 1915. Hickey and Walsh arranged a meeting with Postmaster General Bureson in July 1917 but achieved little. Bureson refused to explain why the Post Office had stopped *The Rebel* before the Espionage Act had even taken effect, or why the paper’s second-class privileges had been revoked even though Hickey was not to blame for missing issues. Hickey declared, “These high officials simply stand pat saying in effect what are you going to do about it.” The answer appeared to be not much. On August 7, 1917, the Post Office formally revoked the mailing privileges of *The Rebel* under the auspices of the Espionage Act. One of Hickey’s partners, Arnold Meitzen, solemnly declared that this act “seems to kill *The Rebel* for good.”²⁹

Although Hickey never received an adequate explanation as to why the federal government censored *The Rebel*, he claimed that the removal of his paper from the mail was due to a supposed expose he printed detailing the treatment of tenants on Postmaster General Albert S. Burleson's land. Burleson was a Texan who had served in Congress since 1899 and in 1912 tied his political fortunes to Woodrow Wilson. He thought that Wilson would surely win, and apparently he thought that he could benefit by securing a cabinet post. Burleson relied on his friends, future attorney general Thomas Watt Gregory and presidential advisor Edward M. House, to promote, and he was rewarded with the Postmaster General's office when Wilson assumed the presidency.³⁰

During the war Burleson worked to enforce the Espionage Act with a zeal that surprised even his supporters. Edward House remarked in 1918 that Burleson "is in a belligerent mood, against the Germans, against labor, against the pacifists, etc. He is now the most belligerent member of the cabinet." Burleson himself remarked that he would most certainly act against any publication that claimed "that the government is controlled by Wall Street or munition manufacturers, or any other special interest," and, as demonstrated above, *The Rebel* made such assertions. Burleson also censored a publication that supported Irish republicanism, a cause dear to Hickey, and was a staunch political opponent of Governor James Ferguson, who had attempted to address the problems of tenancy in Texas. Burleson himself owned land, and this fact led to much speculation about his motives for censoring Hickey.³¹

Historian James R. Green, in *Grass Roots Socialism*, repeats the allegations Hickey made shortly after his arrest that the removal of his newspaper from the mails resulted from an article in *The Rebel* regarding Burleson. James Weinstein, in his work on American socialism during this same period, notes that Burleson took his actions before the Espionage Act went into effect, and agrees with Green about his motives. Neil Foley, in his study of western socialist movements, goes even further: "Burleson despised Hickey and *The Rebel* for making him front page news."³²

Weinstein and Foley both base their accounts on an autobiography written by an Oklahoma socialist, Oscar Ameringer, titled *If You Don't Weaken*. In this book, Ameringer describes testimony before the "Walsh Commission," of tenants who were evicted "along with their old sick, half lame, blind, and babies out in the frosty yuletide air." There are, however, several flaws in Ameringer's account. Hickey's own charges against Burleson also deserve more scrutiny than scholars have devoted to them. While Hickey acknowledged that he had published an article in *The Rebel* accusing Burleson of being "the notorious owner of a large plantation in Bosque County, Texas, where white renters were intensely exploited and lived under miserable conditions," Burleson was not alone in attracting the wrath of the fiery socialist editor. In fact, Hickey also published attacks on one of President Wilson's Supreme Court appointees, as well as Texas Senator Morris Sheppard's brother in law, Cullen Thomas, all of whom he blamed for causing the downfall of *The Rebel*.³³

Although it seems unlikely that Burleson acted conspiratorially in silencing *The Rebel*, his actions clearly fell within the restrictions of speech placed on dissenters in the United States in times of crisis. While it is certainly true that Burleson removed *The Rebel* from the mails before the Espionage Act took effect, it is clear that he had the authority to do so. The Postmaster General's Office had the authority to revoke second-class mailing privileges for items deemed "non-mailable." Additionally, Congress passed an amendment in 1911 that barred from the mails all "matter tending to incite arson, murder, or assassination," and this law was applied broadly to radicals. Also, the revocation of second-class mailing permits by federal officials for publications that skipped issues was not unique to *The Rebel*. In July of 1917, Burleson had removed an issue of the radical magazine *The Masses* from the mails. Editors of *The Masses* immediately went to court and requested an injunction against the Post Office, quickly granted by District Court Judge Learned Hand. Though Circuit Court Judge C.M. Hough later stayed on the injunction, *The Masses* presented an August issue for mailing. Burleson, however, revoked the second-class privileges of the magazine because it had not appeared regularly.³⁴

The Masses' editors went to court immediately; Hickey only contemplated suing the federal government over his treatment by the Post Office. In a letter to Senator Robert La Follette explaining his legal situation as it existed in the fall of 1921, Hickey mentioned that he had hired a lawyer and was seeking damages in the amount of \$100,000. In another letter to Frank P. Walsh, Hickey again outlined the situation and further explained that two of his *Rebel* partners also had suits pending. He told Walsh that he had been attacked by mobs and socially ostracized during the war because of his reputation. But he never actually filed suit against Burleson or any other federal official. After trying his hand at several more publications, none of which enjoyed the success of *The Rebel*, Hickey died on May 7, 1925, from throat cancer that had been diagnosed four years before.³⁵

In the end, the demise of *The Rebel* was never seriously challenged in the courts. He likely would have lost anyway, given the attitudes that many progressive reformers had toward civil liberties. They thought that free speech should be granted only to those who would use it in "positive" and "constructive" ways. "Blacks, Indians, Orientals, aliens – particularly those from Eastern Europe – women, or people espousing radical and destructive economic and political theories" did not qualify for the right of speech in the Progressive mind. Neither did those who challenged, even indirectly, decisions of the federal government or its officers. Certainly *The Rebel* and its editor Thomas Hickey failed to be worthy of free speech rights by all of these standards. A Socialist newspaper by definition operated outside the arena of progressive civil liberties protection. Likewise, to challenge a declared war, or to interfere even indirectly in the operation of federal selective service mandates, violated progressive notions of the rule of law. Hickey's experience then is a classic example of the abridgement of freedom of the press during World War I, and a story that brings to light the important fact that much federal action

does not receive even a minimum amount of judicial scrutiny. Otherwise it stands firmly in the practice of diminished civil liberties during wartime, a loss not always recoverable during the ensuing peace.³⁶

NOTES

¹*The Rebel* (Hallettsville, Texas), June 2, 1917.

²Neil Foley, *The White Scourge: Mexicans, Blacks and Poor Whites in Texas Cotton Culture*. (Berkeley, 1997), pp. 114-117.

³Paul Murphy, *World War I and the Origin of Civil Liberties in the United States*. (New York, 1979), pp. 25-30; Martin M. Shapiro and Douglas S. Hobbs, eds., *The Politics of Constitutional Law* (Cambridge, Mass., 1974), pp. 365-66.

⁴Foley, *The White Scourge*, p. 97.

⁵James R. Green, "Tenant Farmer Discontent and Socialist Protest in Texas, 1901-1917," *Southwestern Historical Quarterly* 81 (October, 1977), pp. 135, 137.

⁶James R. Green, *Grass-Roots Socialism: Radical Movements in the Southwest 1895-1943*, (Baton Rouge, 1978), pp. 138-139.

⁷Green, *Grass-Roots Socialism*, p. 139.

⁸Green, *Grass-Roots Socialism*, p. 163.

⁹Congressional Quarterly, *Presidential Elections Since 1789* (Washington D.C., 1991), p. 122; Roy R. Glashan, ed., *American Governors and Gubernatorial Elections 1775-1978* (Westport, Conn., 1979), p. 303; Michael J. Dubin, ed., *United States Congressional Elections, 1788-1997* (Jefferson, NC, 1998), p. 419; Foley, *The White Scourge*, p. 93.

¹⁰*The Rebel*, September 16, 1911; February 22, 1913.

¹¹*The Rebel*, August 29, 1914.

¹²*The Rebel*, September 19, 1914.

¹³*The Rebel*, May 15, 1915.

¹⁴*The Rebel*, October 19, 1915; November 13, 1915.

¹⁵*The Rebel*, October 28, 1916; November 13, 1916.

¹⁶*The Rebel*, April 14, 1917.

¹⁷*The Rebel*, April 21, 1917.

¹⁸David M. Kennedy, *Over Here: The First World War and American Society* (New York, 1980), p. 145; Lewis L. Gould, *Progressives and Prohibitionists: Texas Democrats in the Wilson Era*, (Austin, 1973), pp. 223-225.

¹⁹*Dallas Morning News*, May 19, 1917; Brief for Defendants in Error, United States Court of Appeals Fifth Circuit, case number 3250, RG 21 case files 1891-3250, box 868, National Archives and Records Administration Southwest Region, Fort Worth, Texas (hereafter NARA).

²⁰*The Rebel*, May 26, 1917.

²¹*The Rebel*, June 2, 1917: "Inspectors, Cattle Raisers Association, Who Are Special Rangers," Ranger Force Records, Folder 1183-13, Texas State Archives, Austin.

²²*Houston Post*, May 19, 1917; *Dallas Morning News*, May 20, 30, 1917; *San Antonio Light*, June 5, 1917.

²³*New York Times*, May 29, 30, 1917; June 1, 1917.

²⁴*Dallas Morning News*, September 11, 1917; *U.S. vs. G.T. Bryant et al.*, Indictment, RG 21, file c-48-No 17, Box 23, NARA; Thomas Hickey to "Comrade," September 1, 1917, Thomas A.

Hickey Papers, Southwest Collection, Texas Tech University, Lubbock (hereafter SWC).

²⁵Hickey to Joe, May 14, 1918; "Thomas A. Hickey visits Fort Worth," and "Public Discussion," Hickey Papers, Southwest Collection.

²⁶Thomas A. Hickey, "Texas Landlord-Banker Plutocracy Strikes at Rebel," T.A. Hickey Papers, Center For American History, University of Texas, Austin (hereafter CAH).

²⁷Hickey, "Texas Landlord-Banker Plutocracy," T. A. Hickey Papers, CAH; Hickey to Senator Robert La Follette, October 4, 1921, Thomas A. Hickey Papers, SWC.

²⁸James Weinstein, *The Decline of Socialism in America: 1912-1925* (New York, 1967), p. 144; R. M. Fants to Hickey, June 19, 1917, Thomas A. Hickey Papers, SWC.

²⁹Congress, House, *Final Report of the Commission on Industrial Relations, 64th Congress, 1st Session, 1915, h.r.p.31*; Hickey to Frank P. Walsh, Thomas A. Hickey Papers, SWC; Hickey to "Comrade," September 1, 1917, SWC; "List of Publications Whose Second Class Mailing Privilege Has Been Revoked," A.S. Burleson Papers, CAH; Arnold Meitzen to Mrs. Thomas Hickey, August 12, 1917, Thomas A. Hickey Papers, SWC.

³⁰Hickey, "Texas Landlord-Banker Plutocracy," T. A. Hickey Papers, CAH; Gould, *Progressives and Prohibitionists*, pp. 98-99.

³¹Kennedy, *Over Here*, pp. 75-77; Gould, *Progressives and Prohibitionists*, pp. 215-216.

³²Green, *Grass Roots Socialism*, p. 356; Weinstein, *The Decline of Socialism in America*, p. 144; Foley, *The White Scourge*, p. 117.

³³Oscar Ameringer, *If You Don't Weaken: The Autobiography of Oscar Ameringer* (New York, 1940), pp. 319-320; Hickey, "Texas Landlord-Banker Plutocracy," T.A. Hickey Papers, CAH; Louis Seibold, "Burleson Pictured as Snoop, Trouble Maker, Disorganizer, Autocrat, and Arch-Politician," A. S. Burleson Papers, CAH; Final Report of the Commission on Industrial Relations, 64th Cong.

³⁴Congress, House, *Annual Report of the Postmaster General, 65th Cong., 2nd sess.* H doc. 770; William Preston, Jr., *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933*(Cambridge Mass., 1963, p. 144; John Sayer, "Art and Politics, Dissent and Repression, The Masses Magazine Versus the Government, 1917-1918," *The American Journal of Legal History* 32 (1988), pp. 47-50.

³⁵Hickey to La Follette, n.d., Thomas A. Hickey Papers, SWC; Hickey to Walsh, October 5, 1921, SWC; Robert W. Clark, "Thomas A. Hickey: Texas Socialist and Oilman," *West Texas Historical Association Yearbook*, pp. 130-132, pp. 134-137.

³⁶Murphy, *World War I and the Origins of Civil Liberties*, pp. 40-41.